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82D CONGRESS, 1st Session | SENATE | REPORT No. 1021

# CHARLES H. CRAFT

OCTOBER 16 (legislative day, OCTOBER 1), 1951.—Ordered to be printed

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Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

## REPORT

[To accompany H. R. 4930]

The Committee on the Judiciary, to which was referred the bill (H. R. 4930) for the relief of Charles H. Craft, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

### PURPOSE OF THE BILL

The purpose of the bill is to provide for the admission into the United States of the minor adopted child of Sgt. and Mrs. George Robert Craft, citizens of the United States. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

### STATEMENT OF FACTS

The beneficiary of the bill was born in Germany on September 2, 1950, and has been adopted by Sgt. and Mrs. George Robert Craft who are citizens of the United States.

Congressman James C. Auchincloss, the author of the bill, submitted to a subcommittee of the Committee on the Judiciary of the House of Representatives the following letter from the American consul, Stuttgart, Germany, with reference to the case:

THE FOREIGN SERVICE OF THE
UNITED STATES OF AMERICA,
AMERICAN CONSULATE GENERAL,
*Stuttgart, Germany, June 15, 1951.*

Hon. JAMES C. AUCHINCLOSS,
*House of Representatives, Washington, D. C., U. S. A.*

MY DEAR MR. AUCHINCLOSS: The receipt is acknowledged of your letter dated June 6, 1951, concerning the possible emigration to the United States of Charles H. Craft, born Karlheinz Tschinkel.

Pertinent records show that the name of Karlheinz Tschinkel was entered on the German-quota waiting list maintained at this office under the date of May 2,

1951. Since the clarification of the act of October 16, 1918, as amended, this office has been reviewing all immigration visa cases retroactive to September 1948 as expeditiously as staff limitations and office facilities have permitted. In view of Karlheinz Tschinkel's late date of registration, an extended delay may be anticipated before his turn may be reached on the quota waiting list.

Since this child was born on September 2, 1950, he is not eligible for special consideration under section 2 (f) of the Displaced Persons Act of 1948, as amended.

If there is any further information we may supply we will be happy to do so.

Sincerely yours,

REED P. ROBINSON,
*American Consul.*

In addition, Congressman Auchincloss submitted the following information in support of the bill:

OFFICE OF THE LAND COMMISSIONER FOR BAVARIA,
*Legal Affairs Division, APO 407—A, United States Army.*

GENTLEMEN: The following application is submitted with regard to the adoption of alien child Karl Heinz Tschinkel.

All statements are to the best of our knowledge true in all respects.

Adoption of child is desired due to the fact that there are no children in our home and physical condition of wife to bear children is such that having one is very improbable.

Child was received in custody through City Youth Office, Ansbach. The child's condition at this time was unclean and of negligent appearance. We are not able to comment on home environment of child. Information given us by mother is as follows: The mother made the following statement to us: That in the event of marriage the child would be a hindrance to her. She has no family and works 10 to 12 hours a day, during which time the child is left with an elderly man who is not capable of caring for the child. From all outward appearance the mother has no desire to care for the child. She specified to my quarters' attendant and my wife, that she has no desire to ever see the child again.

The child is now living with us in a two-bedroom apartment, which is kept in a clean, orderly condition by our quarters' attendant and my wife. The child has his own room, new crib and mattress, new clothes and a high chair. He receives our love and attention and is kept in a clean and healthy condition. We are a quiet-living couple and have no late, noisy parties, that might affect the child's health.

The child for adoption is 7 months, born in Germany of German mother; male, white, excellent health, physical and mental condition good, according to doctor's report. The religious faith of mother, child is illegitimate, is Roman Catholic.

Applicants are George Robert Craft, 33 years old, male, white; Lorraine Patricia (Bottino) Craft, 28 years old, female, white; husband and wife, married, no children; religion, Roman Catholic. Occupation of husband: Sergeant, United States Army; annual income, $2,464 basic salary, plus $1,200 family allowance. A bank account with Farmers and Merchants National Bank of Matawan, N. J., in the amount of $500 and a small account in soldiers deposit, which was just started. A $10,000 insurance policy with NSLI on husband; also $1,000 with the John Hancock Mutual Life Insurance Co., Boston, Mass. A policy of $2,045 on wife with the John Hancock Mutual Life Insurance Co., Boston, Mass. The policies are 20-year-pay life. Our permanent Stateside residence is 64–08 Myrtle Avenue, Ridgewood, Brooklyn 27. Our present place of residence in Germany is 23–B Obereichenbach, near Ansbach, Germany.

Mrs. LORRAINE P. CRAFT.
Sgt. GEORGE R. CRAFT.

TRANSLATION; CERTIFIED TRUE COPY, REGISTER ROLL NO. 588/1951

ADOPTION

Today on the 25th April 1951, in front of me, Dr. Bruno Kestner, notary in Ansbach, and in my office located at No. 1/I Kronenstrasse in Ansbach, appeared:

1. Mr. George Robert Craft, sergeant of the United States Army, RA20262434, and Mrs. Lorraine Patricia Craft, nee Bottino, both residing in Obereichenbach No. 23/b near Ansbach.

2. Mr. Hans Strunz, city sewer inspector in Ansbach, in this case acting as guardian for Charles Henry Tschinkel, born September 2, 1950, according to original certificate presented and certified copy attached hereto.

3. Mr. Helmut Nitschke, interpreter, No. 30 Turnitzstrasse in Ansbach.

The married people, Craft, identified their person by presenting their identification cards C1817, D467519; Mr. Nitschke by presenting his credentials; and Mr. Strunz I personally know.

The married people, Craft, are not able to speak the German language. For this reason Mr. Nitschke was called as interpreter. Mr. Nitschke is not related or related by marriage with any one of the persons present and is court interpreter of the English language. Therefore the administration of oath is renounced.

Upon request of the present persons I certify on account of simultaneous presence in front of me given declarations the following contract about adoption:

I

George Hobert Craft was born on August 29, 1917; Mrs. Lorraine Patricia Craft was born on November 3, 1922. Charles Henry Tschinkel is the child born out of wedlock by Rosa Tschinkel, housemaid in Ansbach, No. 5 Karpfenstrasse, and was born on September 2, 1950.

The married people, Craft, were married on January 3, 1943, in Fort Hancock, N. J., United States of America; the marriage was pronounced in Roman Catholic rite. No children were born out of this matrimony.

II

The married people, George Robert and Lorraine Patricia Craft, hereby adopt Charles Henry Tschinkel, not of age, as their mutual child instead of own children.

From now on the adopted child shall be called Charles Henry Craft.

III

The contract parties are advised that according to German law the adopted child after reviewal of this contract receives the position of legitimate child of the married people Craft.

They were advised about the rights of inheritance of the child.

IV

Mr. Hans Strunz as guardian of the underage child, Charles Henry Tschinkel, expressly declares that he agrees to this adoption providing the approval of the court of guardianship.

V

The mother of the adopted child, Miss Rosa Tschinkel, has already given her consent with document of the notary, Dr. Kestner, Ansbach, dated March 29, 1951, register roll No. 424, in a general manner.

VI

The contract parties were advised that the following provisions are necessary to let this contract become effective:

1. The approval of the guardian court in Ansbach.
2. The approval of the reviewing board of military government.
3. Acknowledgment by the lower court in Ansbach.

The married people Craft simultaneously request to be relieved of the age provision required by the law.

VII

The adopting parents and the adopted child in care of the Town Youth Office, Ansbach, are issued one copy of this certificate each, the lower court, Ansbach, two, and also the military government two certified true copies.

The expenses for executing this certificate will be carried by the married people Craft, and so will be the execution.

One copy of the agreement of the child's mother concerning adoption is attached to this certificate.

VIII

The parties empowered Mr. Franz Hartinger, notary inspector in Ansbach, to receive the approval from the guardian court in their place and to notify the parties concerned and to receive the notice in this respect. Read by the notary, translated to the married people Craft into English language by the interpreter, approved by the persons concerned and then personally signed:

GEORGE ROBERT CRAFT.
LORRAINE PATRICIA CRAFT.
HANS STRUNZ.
HELMUT NITSCHKE.
Dr. KESTNER, *Notary.*

[SEAL]

I am fully conversant in both the English and German languages and this translation is in conformity with the German original.

HELMUT NITSCHKE,
*Interpreter, Ansbach Military Police.*

The committee files also contain the following letters regarding the good moral character of Mr. and Mrs. Craft:

HEADQUARTERS,
SEVEN THOUSAND SEVEN HUNDRED AND SEVENTY-SIXTH
SUPERVISION CENTER (SIGNAL CONSTRUCTION),
*APO 403, United States Army, June 14, 1951.*

*To Whom It May Concern:*

This is to state that I have been a neighbor of Sgt. George R. Craft and Mrs. Craft for several months. I have always found them to be and live an honest, respectable, reserved and noteworthy life. They are well-liked by the neighbors in the community and have always shown great courtesy and respect to all their neighbors.

I would not hesitate to endorse any enterprise they may endeavor to undertake, and heartily commend them for favorable consideration.

Very truly yours,

LOUIS J. PONCET,
*Master Sergeant, Sergeant Major.*

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HEADQUARTERS, KARLSRUHE MILITARY SUBPOST,
*APO 403, United States Army, June 14, 1951.*

*To Whom It May Concern:*

This is to certify that, to the best of my knowledge and belief, Sgt. George R. Craft and Mrs. Lorraine P. Craft are honest, trustworthy, and of the best character. They have always been very regular in attending church.

HANS FRUHSTORFER, S. J.,
*Catholic Auxiliary Chaplain.*

Senator H. Alexander Smith has introduced in the Senate S. 1908 for the relief of the same child. Inasmuch as the committee is reporting favorably on H. R. 4930, the bill S. 1908 will be indefinitely postponed.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4930) should be enacted.

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